

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

v.

No. CIV 08-0569 JC/LAM
CR 03-00847 JC

STEVE MADRID,

Defendant/Movant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on Magistrate Judge Lourdes A. Martínez' *Proposed Findings and Recommended Disposition* (Doc. 13), filed on January 15, 2009. No party has filed objections to the proposed findings and recommended disposition and the deadline for filing objections has passed. The Court has determined that it will adopt the *Proposed Findings and Recommended Disposition* (Doc. 13), deny Mr. Madrid's *Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody* (Doc. 1) without an evidentiary hearing, and dismiss this case with prejudice.

IT IS THEREFORE ORDERED that the *Proposed Findings and Recommended Disposition* (Doc. 13) are ADOPTED by the Court.

IT IS FURTHER ORDERED that Mr. Madrid's *Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody* (Doc. 1) is DENIED.

IT IS FURTHER ORDERED that this case be **DISMISSED WITH PREJUDICE** and that a final judgment be entered concurrently with this order.

IT IS SO ORDERED.

s/John Edwards Conway

HONORABLE JOHN E. CONWAY
SENIOR UNITED STATES DISTRICT JUDGE